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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,650	07/13/2001	Kyoung Ro Yoon	24286/81351	1629

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EXAMINER

SHEPARD, JUSTIN E

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/903,650

Applicant(s)

YOON ET AL.

Examiner

Justin E. Shepard

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-24 and 30-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-24 and 30-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the portable medium from claim 31 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 19 and 23 are objected to because of the following informalities: The claims are worded awkwardly. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15-18, 20, 22, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cathey in view of CineMage.

Referring to claim 15, Cathey discloses a method for processing user history data (column 3, lines 7-10), the method comprising:

recording a user action item corresponding to consumption of multimedia content, having an identifier (column 5, lines 22-26);

assigning a program identifier and a user action type to the user action item, the program identifier including the identifier for identifying the corresponding multimedia content (column 5, lines 52-54).

Cathey does not disclose a method wherein the identifier is a content reference identifier, and where it is specified that the action item be protected.

CineMage discloses a method wherein the identifier is a content reference identifier (paragraph 9, lines 3-5), and where it is specified that the action item be protected (paragraph 9, lines 4-5).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the CIDF format for the metadata, as taught by CineMage, in the system disclosed by Cathey. The motivation would have been to enable the tracking of the files, and therefore prevent unauthorized use (CineMage: paragraph 9, lines 5-6).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the watermark, taught by CineMage, to the files disclosed by Cathey. The motivation would have been to enable the tracking of the files, and therefore prevent unauthorized use (CineMage: paragraph 9, lines 5-6).

Referring to claim 16, Cathey discloses a method for processing user history data as claim in claim 15, wherein the content reference identifier is independent of a storage location of the corresponding multimedia content (figure 1, parts 14 and 40).

Referring to claim 17, Cathey does not disclose a method for processing user history data as claimed in claim 16, wherein the content reference identifier is a content reference ID (CRID) or a Content ID Forum (CIDF) (paragraph 9, lines 3-5).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the CIDF format for the metadata, as taught by CineMage, in the system disclosed by Cathey. The motivation would have been to enable the tracking of the files, and therefore prevent unauthorized use (CineMage: paragraph 9, lines 5-6).

Referring to claim 18, Cathey discloses a method for processing user history data as claimed in claim 15, wherein the user action type represents a consumption type indicating how the user consumed the multimedia content (column 5, lines 52-54).

Claim 20 is rejected on the same grounds as claim 18.

Claim 22 is rejected on the same grounds as claims 15 and 18.

Referring to claim 30, Cathey discloses a method of claim 15, further comprising: storing the user action item in a user action history (column 5, lines 33-35; column 4, lines 51-52).

Claims 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cathey in view of CineMage as applied to claims 18 and 22 above, and further in view of Lortz.

Referring to claim 19, Cathey and CineMage do not disclose a method for processing user history data as claimed in claim 18, wherein the consumption type indicates a selection from an action type group including a simple view for one time

consumption of the corresponding multimedia content and recording of the corresponding multimedia content.

Lortz discloses a method for processing user history data as claimed in claim 18, wherein the consumption type indicates a selection from an action type group including a simple view for one time consumption of the corresponding multimedia content and recording of the corresponding multimedia content (column 5, lines 28-30).

At the time of the invention it would have been obvious for one of ordinary skill in the art to record the watched and recorded shows, as taught by Lortz, on the user history disclosed by Cathey. The motivation would have been to provide the system with more data and therefore enable the usage reports to be more accurate (Cathey: column 4, lines 43-45).

Claim 23 is rejected on the same grounds as claim 19.

Claims 21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cathey in view of CineMage as applied to claims 20 and 22 above, and further in view of Yunoki.

Referring to claim 21, Cathey discloses a method for processing user history data as claimed in claim 15, wherein the user action type represents a consumption behavior indicates a selection from an action type group including operations of normal play and replay (column 4, lines 47-49; Note: replay is interpreted as being when a program is watched more than once).

Cathey and CineMage do not disclose a method where one of the action types is slow play.

Yunoki discloses a method where one of the action types is slow play (column 8, lines 32-35).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the slow play entry taught by Yunoki to the method disclosed by Cathey and CineMage. The motivation would have been to provide the system with more data and therefore enable the usage reports to be more accurate (Cathey: column 4, lines 43-45).

Claim 24 is rejected on the same grounds as claim 21.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cathey in view of CineMage as applied to claim 30 above, and further in view of Kutsumi.

Referring to claim 31, Cathey and CineMage do not disclose a method of claim 30, wherein storing the user action item in the user action history includes storing the user action item in a portable medium.

Kutsumi discloses a method of claim 30, wherein storing the user action item in the user action history includes storing the user action item in a portable medium (Solution: lines 3-6).

At the time of the invention it would have been obvious for one of ordinary skill in the art to store the profile on a portable medium as taught by Kutsumi in the method

disclosed by Cathey and CineMage. The motivation would have been to enable the profiles to be backed up in case of the main storage units were to fail.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cathey in view of CineMage as applied to claim 30 above, and further in view of Bates.

Referring to claim 32, Cathey and CineMage do not disclose a method of claim 30, wherein specifying whether information in the user action item is protected includes specifying whether all information in the user action history is protected.

Bates discloses a method of claim 30, wherein specifying whether information in the user action item is protected includes specifying whether all information in the user action history is protected (column 5, lines 45-46).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the encryption method taught by Bates to the method disclosed by Cathey and CineMage. The motivation would have been to protect the data from people that were not authorized to view it.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cathey in view of CineMage as applied to claim 30 above, and further in view of Gutta.

Referring to claim 33, Cathey in view of CineMage does not disclose a method of claim 30, wherein the user action history includes a hierarchical data structure.

Gutta discloses a method of claim 30, wherein the user action history includes a hierarchical data structure (figure 2).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the hierarchical data structure taught by Gutta in the method disclosed by Cathey and CineMage. The motivation would have been to make the information easier to parse in the creation of the user history reports.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matthews; U.S. Patent Number 6,631,523; Electronic Program Guide with Hyperlinks to Target Resources.

Wugofski; U.S. Patent Number 6,201,538; Controlling the Layout of Graphics in a TV Environment.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any


extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS



VIVEK SRIVASTAVA
PRIMARY EXAMINER